

FILED

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AT 8:30

WILLIAM T. WALSH  
CLERK

THEODORE W. DAUNNO, ESQ.

1033 Clifton Avenue

Clifton, New Jersey 07013

(973) 472-0202

Attorney for Defendant, Lawrence J. Cuzzi

WALSH SECURITIES, INC. : UNITED STATES DISTRICT COURT  
: FOR THE DISTRICT OF NEW JERSEY  
Plaintiffs, : CIVIL ACTION NO. CV-97-3496 (WJB)  
vs. :  
CRISTO PROPERTY MANAGEMENT :  
LTD, a/k/a G.J.J. LIMITED, DEK :  
HOMES OF NEW JERSEY, INC., :  
OAKWOOD PROPERTIES, INC., :  
NATIONAL HOME FUNDING, INC., :  
CAPITAL ASSETS PROPERTY MANAGE- :  
MENT & INVESTMENT CO., INC., :  
CAPITAL ASSETS PROPERTY MANAGE- :  
MENT & INVESTMENT CO., L.L.C., :  
WILLIAM J. KANE, GARY GRIESER, :  
ROBERT SKOWRENSKI, II, RICHARD :  
CALANNI, RICHARD DI BENEDETTO, :  
JAMES R. BROWN, THOMAS BRODO, :  
RONALD J. PIERSON, STANLEY :  
YACKER, ESQ., MICHAEL ALFIERI, :  
ESQ., RICHARD PEPSNY, ESQ., :  
ANTHONY M. CICALESE, ESQ., :  
LAWRENCE J. CUZZI, ANTHONY :  
D'APOLITO, DAP CONSULTING, :  
INC., COMMONWEALTH LAND TITLE :  
INSURANCE COMPANY, NATIONS :  
TITLE INSURANCE OF NEW YORK, :  
INC., FIDELITY NATIONAL TITLE :  
INSURANCE COMPANY OF NEW YORK :  
and COASTAL TITLE AGENCY, :  
Defendants. :  
:

ANSWER TO SECOND AMENDED  
COMPLAINT, JURY DEMAND  
and CROSSCLAIMS

The Defendant, LAWRENCE J. CUZZI, residing at 38 Clive Hills Road, in the Township of Edison, County of Middlesex and State of New Jersey, by way of Answer to the Second Amended Complaint, says:

1. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 through 22.

2. The Defendant denies the allegations as set forth in Paragraph 23.

3. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 24 through 32.

4. The Defendant denies the allegations as set forth in Paragraphs 33 through 36.

5. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 37 through 51.

6. The Defendant denies the allegations set forth in Paragraphs 52 through 59.

**AS TO COUNT I**

7. The Defendant repeats and realleges his answers to Paragraphs 1 through 60 as if set forth at length herein.

8. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 61 and 62.

9. The Defendant denies the allegations of Paragraphs 63 through 68.

**FIRST SEPARATE DEFENSE**

The Second Amended Complaint fails to state a claim upon which relief can be granted as to this Defendant.

**SECOND SEPARATE DEFENSE**

Plaintiff's Second Amended Complaint against this Defendant is barred by its own negligent conduct and the conduct of its agents, employees and officers.

**THIRD SEPARATE DEFENSE**

Plaintiff's Second Amended Complaint against this Defendant is barred by the acts of its agents, employees and officers which constitute laches.

**FOURTH SEPARATE DEFENSE**

Plaintiff's Second Amended Complaint against this Defendant is barred by the acts of its agents, employees and officers which constitute estoppel.

**FIFTH SEPARATE DEFENSE**

Plaintiff's Second Amended Complaint against this Defendant is barred by the acts of its agents, employees and officers which constitute waiver.

**JURY DEMAND**

The Defendant, LAWRENCE J. CUZZI, demands a trial by jury on all issues.

**CROSSCLAIM FOR CONTRIBUTION**

The Defendant hereby demands contribution from Defendants, Cristo Property Management, Ltd., a/k/a G.J.L. Limited, DEK Homes of New Jersey, Inc., Oakwood Properties, Inc., National Home Funding, Inc., William J. Kane, Robert Skowrenski, II, Richard

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Colanni, Richard DeBenedetto, James R. Brown, Thomas Brodo, Ronald J. Pierson, Stanley Yaker, Michael Alfieri, Richard Pepsny, Anthony D'Apolito, DAP Consulting, Inc., Commonwealth Land Title Insurance Company, Nations Title Insurance of New York, Inc., Fidelity National Title Insurance Company of New York, Costal Title Agency, Capital Assets Property Management & Investment Co., Inc., Capital Assets Property Management & Investment Co. L.L.C., and Gary Grieser.



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THEODORE W. DAUNNO  
Attorney for Defendant, Cuzzi

Dated: April 3, 1998

**DESIGNATION OF TRIAL COUNSEL**

Defendant, LAWRENCE J. CUZZI, hereby designates THEODORE W. DAUNNO, ESQ., as trial counsel in this matter.

Dated: April 3, 1998



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THEODORE W. DAUNNO  
Attorney for Defendant, Cuzzi

**CERTIFICATION OF SERVICE**

I hereby certify that on the date hereof, I caused a true copy of the within Answer, Jury Demand and Crossclaim to be served by regular mail upon all counsel listed on the attached Mailing List.

Dated: April 3, 1998



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THEODORE W. DAUNNO  
Attorney for Defendant, Cuzzi

MAILING LIST

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